

EXPRESS MAIL No.: EV 049319608US

Deposited: March 19, 2002

I hereby certify that this correspondence is being deposited with the United States Postal Service Express mail under 37 CFR 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231



Denise Walcott
Denise Walcott

JG-HK-5084/500572.20040

TECH CENTER 1600/2900

MAR 26 2002

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tsuyoshi NAGATAKE

Group: 1614

Serial No.: 09/868,106

Examiner: R. COOK

Filed: June 14, 2001

Customer No.: 026418

For: PREVENTIVE AGAINST RESPIRATORY INFECTIOUS DISEASES

Commissioner of Patents
Washington, D. C. 20231

INFORMATION DISCLOSURE STATEMENT

S I R:

In order to fulfill the requirements of candor and good faith set forth in 37 C.F.R.

§ 1.56, Applicant submits this Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98.

NON-PATENT REFERENCES

1. Mubaki et al., *Tohoku J. Exp. Med.*, Vol. 153, pp. 111-121 (1987);
2. Brown, D.T., *Drug Intelligence Clin. Pharmacol.*, Vol. 22, pp. 603-608 (1988); and
3. Ogiyara et al., *Kikanshigaku* (Treatise on Bronchia), (1982).

03/22/2002 HMOHAMM1 00000058 09868106

01 FC:126

180.00 OP

Applicant is in the process of obtaining copies and English translations or abstracts of the above-


listed non-patent references and will forward them to the U.S. Patent and Trademark Office upon receipt.

The above-listed references are also listed in Form PTO-1449 which is enclosed herewith.

This submission is not an admission that the information disclosed in the references is material to the patentability of the invention disclosed and/or claimed in the above-identified application. Accordingly, Applicant respectfully submits that the application is in all respects in condition for further examination on the merits.

Applicant has also enclosed a check in the amount of \$180.00 for the fee pursuant to 37 C.F.R. §1.97(c)(2). The Commissioner is hereby authorized to charge any other fees required in connection herewith to Deposit Account No. 50-1529.

Respectfully submitted,


Jules E. Goldberg - Reg. No. 24,408
Reed Smith LLP
375 Park Avenue, 17th Floor
New York, NY 10152
Tel. (212) 521-5400

JEG/SRP
03/19/02

Enclosures:
PTO-1449